

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Johnny Mack Kinder,

Plaintiff,

vs.

South Carolina Department of Corrections;
Barry J Tucker, *in his official and personal*
capacity; Mark Pettit, *in his official and personal*
capacity; Bryan P Stirling; Michael McCall;
Dennis Patterson; Colie L. Rushton; Wantonta
Golden; Donald P Keatley; Kellan B Mills;
Shannon Moore; Robert Williams Jr; Cory A
Sanders; Jeffery D West Jr; Vasily Chernyak Jr;
John Doe; Jane Doe 1-25; Tim Riley,

Defendants.

Civil Action

5:20-cv-02882-JD-KDW

ORDER OF DISMISSAL


The Court having been advised by counsel for the parties that the above
action has been settled,

IT IS ORDERED that this action is hereby dismissed without costs and without
prejudice. If settlement is not consummated within sixty (60) days, either party may petition
the Court to reopen this action and restore it to the calendar. Rule 60(b)(6), F.R.Civ.P. In
the alternative, to the extent permitted by law, either party may within sixty (60) days petition
the Court to enforce the settlement. Fairfax Countywide Citizens v. Fairfax County, 571
F.2d 1299 (4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to
enforce the settlement agreement. Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 381-
82 (1994).

The dismissal hereunder shall be with prejudice if no action is taken under
either alternative within sixty (60) days from the filing date of this order.

IT IS SO ORDERED.

October 5, 2022
Florence, South Carolina


Joseph Dawson, III
United States District Judge